

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2008-090345

08/17/2010

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT
M. Kay
Deputy

IN RE THE MARRIAGE OF
CHRISTOPHER MICHAEL MASON

CHRISTOPHER MICHAEL MASON
3525 N SONORAN HEIGHTS
MESA AZ 85207

AND

AMY BETH MASON

AMY BETH MASON
3935 E LAVENDER LN
PHOENIX AZ 85044

MINUTE ENTRY

Courtroom 403 – SEA

Prior to the commencement of today's proceeding, Petitioner's Exhibits 1 through 59 and 101 and Respondent's Exhibits 60 through 100 are marked for identification.

1:37 p.m. This is the time set for Evidentiary Hearing re: Petitioner's Petition to Modify Parenting Time, Respondent's Petition to Modify Child Support, and Respondent's request for a custody evaluator. Petitioner is present on his own behalf. Respondent is present on her own behalf.

A record of the proceeding is made by audio and/or videotape in lieu of a court reporter.

The Court has reviewed the case file and the pleadings filed by the parties.

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The Court has received and reviewed Petitioner's Objection and Response to Counseling Update Dated July 19, 2010.

Christopher M. Mason, Amy B. Mason, Agnes M. Wilbert and Julie A. Jenkins are sworn.

The rule of exclusion of witnesses is invoked. The Court instructs the witnesses not to discuss the case or their testimony with anyone but counsel and directs them to remain outside the courtroom until they are called to testify.

Agnes M. Wilbert and Julie A. Jenkins are excluded from the courtroom.

Respondent presents opening statements to the Court.

Petitioner presents opening statements to the Court.

Respondent's case:

Agnes M. Wilbert, previously sworn, now testifies.

The witness is excused.

Amy B. Mason, previously sworn, now testifies.

Respondent's Exhibits 60, 63 through 65 and 77 are offered and received in evidence.

Over the objection of Petitioner,

Respondent's Exhibits 67 through 69 are received in evidence.

Petitioner's Exhibits 5, 11 and 31 are offered and received in evidence.

The witness is excused.

Respondent rests.

Petitioner's case:

Christopher M. Mason, previously sworn, now testifies.

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Petitioner's Exhibits 3 and 4 are offered and received in evidence.

LET THE RECORD REFLECT the parties are notified that the Court does not have additional time on its docket to hear the remainder of the case.

THE COURT FINDS that Respondent/Mother is requesting an adjustment to child support based on her request to include daycare costs because of what she characterizes changed circumstances. Petitioner/Father objects to that because he believes that there has not been a change in circumstances; that the position that Mother is arguing this date is consistent with what the parties negotiated at the time the dissolution of the marriage was entered.

IT IS ORDERED taking under advisement whether or not Mother's request is, in fact, a change in circumstances warranting modification in support and Father's request for a parenting time adjustment.

IT IS FURTHER ORDERED to the extent that Mother wants to present further argument to the Court, she shall have until **August 30, 2010** to submit a written closing argument, not to exceed 5 pages. Father may file his reply thereto, not to exceed 5 pages, no later than **September 6, 2010**.

IT IS FURTHER ORDERED that this matter shall be deemed under advisement as of **September 6, 2010**.

There being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of the Court,

IT IS ORDERED that the Clerk permanently release all exhibits not offered in evidence to the counsel/party causing them to be marked, or to their written designee.

IT IS FURTHER ORDERED that counsel/party or written designee take immediate possession of all exhibits referenced above.

Petitioner's Exhibits 1, 2, 6 through 10, 12 through 30, 32 through 59 and 101 and Respondent's Exhibits 61, 62, 66, 70 through 76 and 78 through 100 are released.

3:36 p.m. Hearing concludes.

FILED: Exhibit Worksheet.

ISSUED: Exhibit Release Forms.

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All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.